

REMARKS

Claims 1, 2, 6, 11, 12, 16, 18 and 19 have been amended. Non-elected claims 21-50 have been canceled. Claims 1-20 are pending.

In the office action, claims 1-5, 10-15, and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,400,568 to Kanemitsu et al. in view of U.S. Patent No. 6,293,896 to Buchman. The Applicant traverses this ground of rejection for the following reasons.

Independent claims 1 and 11 have been amended to clarify that the string zipper comprises first and second flangeless zipper strips installed in the mouth of the receptacle, a portion of one receptacle wall being joined to a back of a section of the first flangeless zipper strip; and that sliders are inserted on the string zipper after the portion of the receptacle wall has been joined to the back of the first flangeless zipper strip, whereby the joined portion of the receptacle wall passes between the back of the first flangeless zipper strip and a sidewall of the slider. This feature is not shown in either Kanemitsu or Buchman. The reclosable bag disclosed in Kanemitsu has no slider and so does not disclose either means or a step for inserting sliders. While Buchman does teach a method of making a reclosable bag with sliders, the sliders are inserted onto the

zipper before the zipper is attached to the bag making webs, as clearly shown in Figure 6 of Buchman. Buchman does not teach that any portion of the bag making webs is disposed between the back of a zipper strip and a sidewall of the slider. Since a limitation of amended claims 1 and 11 is absent from both references, a *prima facie* case of obviousness cannot be made using the Kanemitsu and Buchman references.

Furthermore, Kanemitsu discloses only reclosable bags with headers (see, e.g., Figures 9-11 and 18). It is not possible to insert a slider on a string zipper installed in the mouth of a receptacle having a header when the header and the receptacle are both formed from the same piece of film. Therefore it is not possible to insert a slider on the reclosable bags disclosed by Kanemitsu. Accordingly, no motivation can be found in either reference for using the slider insertion technique of Buchman to insert slider on the reclosable bags of Kanemitsu. Since motivation for the proposed modification is also a necessary element of a *prima facie* case of obviousness, the impossibility of inserting sliders on Kanemitsu's bags is further proof that a *prima facie* case of obviousness cannot be made using the Kanemitsu and Buchman references.

In view of the foregoing, the Applicant submits that the obviousness rejection based on the combination of

Kanemitsu and Buchman should be withdrawn.

In the office action, claims 1, 6-9, 11 and 16-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,517,660 to Ausnit in view of U.S. Patent No. 6,293,896 to Buchman. The Applicant traverses this ground of rejection for reasons similar to those given for the previous rejection, namely, a *prima facie* case for obviousness cannot be made using Ausnit and Buchman because a claim limitation is missing from both references and because there would be no motivation to insert sliders on the gusted reclosable bags of Ausnit, as explained in more detail hereinafter.

First, as previously noted, Buchman teaches inserting sliders on a zipper before the zipper is attached to the bag making film. In contrast, amended claims 1 and 11 recite that a portion of the receptacle wall will be disposed between the back of one flangeless zipper strip and a sidewall of the slider, which arrangement is not disclosed in Buchman and would not be obvious in light of Ausnit and Buchman.

Second, the Ausnit patent teaches a gusseted reclosable bag wherein parts of the gussets are captured between the mating profiles of the closed zipper. Close scrutiny of the gusseted reclosable bag depicted in Figure 8 of the Ausnit patent does not give rise to any suggestion that

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a slider could be added to this design. Any slider would need to ride over the gussets at opposing ends of the bag. Also it appears that the extended top portions of the front and rear walls would interfere with the placement of a slider on the zipper. The Applicants respectfully submits that it would not be obvious to incorporate a slider in the Ausnit bag design.

In view of the foregoing, the Applicant submits that this application is now in condition for allowance. Reconsideration of the application and allowance of claims 1-20 are hereby requested.

Respectfully submitted,

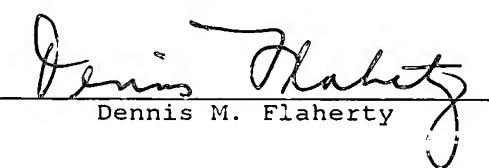
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